

BEFORE THE NEBRASKA LIQUOR CONTROL COMMISSION

In Re: SHERYL A DRAKE)
 "Brand'N Iron Saloon")
 121 West Main, PO Box 27)
 Comstock NE 68828)
)
On Suspension, Cancellation or Revocation of)
Retail Class C-49744 Liquor License)

O R D E R

Now on the 31st day of July, 2006, this matter came on for hearing before the Nebraska Liquor Control Commission, notice having been served upon the licensee to appear and respond to an administrative citation alleging that the license should be suspended, cancelled or revoked as more fully set out herein.

In accordance with the commission's policies, a proper notice of this hearing was sent by U.S. Certified Mail, return receipt requested, and was received and signed for on 7/12/06.

The licensee was not present nor represented. The State was represented by Milissa Johnson-Wiles, Assistant Attorney General.

Based upon the testimony of the witness and the evidence received in this case, the Commission finds the following:

FINDINGS OF FACT:

1. That the licensee did, on or about April 23, 2006, permit or allow an individual being less than 21 years of age, to consume or have in her possession alcoholic liquor.

CONCLUSIONS OF LAW:

1. That permitting or allowing an individual under the age of 21 to consume or have possession of alcoholic liquor, is in direct violation of Section 53-180.02 of the Nebraska Statutes and/or 237-LCC6.019.01B of the Rules and Regulations of the Nebraska Liquor Control Commission.

2. That the license should be suspended for a period of sixteen (16) days.

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED that the Class C License of Sheryl A Drake dba "Brand'N Iron Saloon", 121 West Main, Comstock, Nebraska, should be, and the same hereby is, suspended for a period of sixteen (16) days, such suspension to commence at the closing hour of business on the 24th day of September, 2006, and to continue until the opening hour of business on the 11th day of October, 2006.

IT IS FURTHER ORDERED that the notice of suspension shall be posted upon the premises, said notice to remain posted throughout the term of said suspension.

IT IS FURTHER ORDERED that the licensee shall pay costs of this action, assessed in the amount of \$28.00.

Dated this _____ day of August, 2006

NEBRASKA LIQUOR CONTROL COMMISSION

BY _____
(Chairman)

I hereby certify that this is a true and correct copy of the original order entered herein, and further certify, that a copy was mailed by U.S. Certified Mail, return receipt requested, on this _____ day of August, 2006.

(Executive Director)